C.J.'s Court

Writ Petition No. 131 (M/B) of 2002

Ajeet Singh and others ……. Petitioners

Vs.

State of Uttaranchal and others …… Opposite parties.

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Hon. A.A.Desai,C.J.
Hon. Irshad Hussain,J.

Heard Sri Arvind Vashisth, learned counsel for the petitioners, learned A.G.A. and Ms. Kamna Vohra, learned counsel for the respondent no.3.

The petitioners are accused of the offence punishable under section 420,406 and 506 IPC read with section 34,I.P.C. This Court initially on 23.03.2002 stayed the arrest of the petitioner no. 1 Ajeet Singh. Subsequently, the petitioners sought correction of the impugned order and thereby relief of stay of arrest was extended to the remaining petitioners nos. 2 to 4, namely, Narendra Pandit, Amitabh Rathor and Vishaw Nathan. The Court further directed that the petitioners shall cooperate with the investigation and shall make themselves available to the Investigating Officer as and when required.

In the meanwhile, before correction one of the petitioners i.e. petitioner no.2 Narendra Pandit was arrested. However, he was released on bail by the Court of Sessions.

The learned prosecutor vehemently made a statement that the petitioners though directed by this Court are not rendering necessary cooperation.

We also directed learned counsel for the petitioners to keep the petitioners present in Court today. However, they are absent today.

Mr. Vashisth, learned counsel for the petitioners made statement that the petitioners are located at different places.

Having regard to the situation and particularly that one of the of the petitioners got bail, we modify our order dated 23.03.2002 and direct that the petitioner no. 1, 3 and 4, namely, Ajeet Singh, Amitabh Rathor and Vishw Nathan shall surrender before the A.C.J.M. Haldwani on 20.05.2002. The Investigation Officer shall complete the investigation as far as possible within a period of four weeks. With this direction, the petition is disposed of.

(**A.A.Desai,C.J.)**
(Irshad Hussain,J.)

Dt. 13.05.2002
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Modification App. No. 2084 of 2002
In
W.P. No. 131 of 2002 (M/B)

Hon'ble Rajeev Gupta, C.J.
Hon'ble P.C. Pant, J.

Petitioners' counsel absent.

Mr. H.C. Pande, Addl. Govt. Advocate for respondents Nos. 1 & 2.

Mr. Lalit Belwal, Advocate for respondent No.3.

Mr. H.C. Pande, the learned Addl. Government Advocate submits that, as the police, after the completion of the investigation, has filed charge sheet against the petitioners, CLMA No. 2084 of 2002, has now become infructuous.

CLMA NO. 2084 of 2002, therefore, is dismissed as infructuous.

(Rajeev Gupta, C.J.)
(P.C. Pant, J.)

Dated: 13.07.2006
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